

REFERENCE TITLE: care institutions; board; fees

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1483

Introduced by
Senators Hellon, Allen; Cannell; Representatives Downing, Miranda B

AN ACT

AMENDING SECTIONS 36-446.03 AND 36-446.12, ARIZONA REVISED STATUTES; RELATING TO THE BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-446.03, Arizona Revised Statutes, is amended to
3 read:
4 36-446.03. Powers and duties of the board
5 A. The board may adopt, amend or repeal reasonable and necessary rules
6 and standards for the administration of this article in compliance with title
7 XIX of the social security act, as amended.
8 B. The board by rule may adopt nonrefundable fees that do not exceed
9 the following:
10 1. For initial application for certification as an assisted living
11 facility manager, ~~one~~ TWO hundred dollars.
12 2. For examination for certification as an assisted living facility
13 manager, ~~one~~ TWO hundred dollars.
14 3. For issuance of a certificate as an assisted living facility
15 manager, one hundred dollars prorated monthly.
16 4. For biennial renewal of a certificate as an assisted living
17 facility manager, ~~one~~ TWO hundred dollars.
18 5. For the issuance of a temporary certificate as an assisted living
19 facility manager, ~~fifty~~ ONE HUNDRED dollars.
20 6. For readministering an examination for certification as an assisted
21 living facility manager, ~~one~~ TWO hundred dollars.
22 7. For issuance of a duplicate certificate as an assisted living
23 facility manager, fifty dollars.
24 8. FOR ISSUANCE OF A DUPLICATE RENEWAL RECEIPT, FIFTY DOLLARS.
25 ~~8-~~ 9. For reviewing the sponsorship of continuing education programs,
26 ~~twenty~~ TWENTY-FIVE dollars PER COURSE.
27 ~~9-~~ 10. As a penalty for failure to renew a certificate as an assisted
28 living facility manager as required by this article in a timely fashion,
29 fifty dollars per year.
30 C. The board may elect officers it deems necessary.
31 D. The board shall apply appropriate techniques, including
32 examinations and investigations, for determining whether a person meets the
33 qualifications set forth in section 36-446.04.
34 E. On its own motion or in response to any complaint against or report
35 of a violation by an administrator of a nursing care institution, or a
36 manager of an assisted living facility, the board may conduct investigations,
37 hearings and other proceedings concerning any violation of ~~the provisions of~~
38 this article or of rules adopted by the board or by the department.
39 F. In connection with an investigation or administrative hearing, the
40 board may administer oaths and affirmations, subpoena witnesses, take
41 evidence and require by subpoena the production of documents, records or
42 other information in any form concerning matters the board deems relevant to
43 the investigation or hearing. If any subpoena issued by the board is
44 disobeyed, the board may invoke the aid of any court in this state in

1 requiring the attendance and testimony of witnesses and the production of
2 evidence.

3 G. The board may employ persons to provide investigative, professional
4 and clerical assistance as required to perform its powers and duties under
5 this article. Compensation for board employees shall be as determined
6 pursuant to section 38-611. The board may contract with other state or
7 federal agencies as required to carry out the provisions of this article.

8 H. The board may appoint review committees to make recommendations
9 concerning enforcement matters and the administration of this article.

10 I. The board by rule may establish a program to monitor licensees and
11 certificate holders who are chemically dependent and who enroll in
12 rehabilitation programs that meet board requirements. The board may take
13 disciplinary action if a licensee or a certificate holder refuses to enter
14 into an agreement to enroll in and complete a board approved rehabilitation
15 program or fails to abide by that agreement.

16 J. The board shall adopt and use an official seal.

17 K. The board shall adopt rules for the examination and licensure of
18 nursing care institution administrators and the examination and certification
19 of assisted living facility managers.

20 L. The board shall adopt rules governing payment to a person for the
21 direct or indirect solicitation or procurement of assisted living facility
22 patronage.

23 M. The board must provide the senate and the house of representatives
24 health committee chairmen with copies of all board minutes and executive
25 decisions.

26 Sec. 2. Section 36-446.12, Arizona Revised Statutes, is amended to
27 read:

28 36-446.12. Fees

29 A. The board shall establish nonrefundable fees and penalties that do
30 not exceed the following for nursing care institution administrators:

31 1. For initial application, ~~one~~ TWO hundred dollars.

32 2. For examination for licensure as a nursing care institution
33 administrator, five hundred dollars.

34 3. For a license as a nursing care institution administrator, ~~two~~
35 THREE hundred ~~sixty~~ dollars.

36 4. For renewing an active biennial license, ~~three~~ FOUR hundred
37 dollars.

38 5. For renewing an inactive biennial license, ~~one~~ TWO hundred dollars.

39 6. For a temporary license as a nursing care institution
40 administrator, ~~two~~ THREE hundred fifty dollars.

41 7. For readministering the state examination, one hundred fifty
42 dollars.

43 8. For readministering the national examination, three hundred
44 dollars.

45 9. For a duplicate license, fifty dollars.

1 10. FOR ISSUANCE OF A DUPLICATE RENEWAL RECEIPT, FIFTY DOLLARS.

2 ~~10.~~ 11. For late renewal of a license, a penalty of fifty dollars.

3 ~~11.~~ 12. For certifying licensure status, ten dollars.

4 ~~12.~~ 13. For reviewing the sponsorship of continuing education
5 programs, ~~twenty~~ TWENTY-FIVE dollars PER COURSE.

6 Sec. 3. Requirements for enactment: two-thirds vote

7 Pursuant to article IX, section 22, Constitution of Arizona, this act
8 is effective only on the affirmative vote of at least two-thirds of the
9 members of each house of the legislature and is effective immediately on the
10 signature of the governor or, if the governor vetoes this act, on the
11 subsequent affirmative vote of at least three-fourths of the members of each
12 house of the legislature.